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*Time-
Dated
Material*

The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation(s) at a public hearing on or after June 5, 2003 at 9:30 a.m. Written comments should be received at the Commission offices no later than noon on June 4, 2003.

BACKGROUND/OVERVIEW

On November 7, 2000, the voters approved Proposition 34, which significantly amended the Political Reform Act ("Act").¹ In the course of its implementation of Proposition 34, the Commission adopted 2 Cal. Code Regs. § 18404.1 on January 15, 2002. The regulation, which became operative on February 15, 2002, implemented a procedure for mandatory termination of all candidate controlled committees within certain timeframes after a candidate either left office or lost an election, with the deadline for termination based on whether or not the committee had campaign-related debt. The regulation specifically required all candidate controlled committees formed for an election held prior to January 1, 2001, to be terminated no later than December 31, 2002, except for candidates currently holding elective state office, who were permitted to retain one pre-2001 controlled committee, subject to certain termination requirements upon completion of their term of office.

Regulation 18404.1 included a provision for seeking an extension of time to terminate a committee after the deadline imposed by the regulation by filing an application with the Executive Director or, if denied by him or her, an appeal with the Chairman. After having processed numerous applications for extensions of time and appeals, the need for some clarifications to the process for seeking an extension or for filing an appeal became apparent.

REGULATORY ACTION

Amend 2 Cal. Code Regs. § 18404.1: The proposed amendment clarifies the process by which a committee may seek an extension of time to terminate pursuant to this regulation and, if its request for extension is denied by the Executive Director, further clarifies the process by which to seek an appeal from the Chairman of the Commission.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code section 84214.

CONTACT

Any inquiries should be made to Holly Armstrong, Staff Counsel, Legal Division, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at www.fppc.ca.gov.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt the proposed regulation if it remains substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the proposed regulation before its adoption or repeal.

TITLE 5. SUPERINTENDENT OF PUBLIC INSTRUCTION

NOTICE OF PROPOSED RULEMAKING

Enhancing Education Through Technology

The State Superintendent of Public Instruction (Superintendent) proposes to adopt the regulations

¹ Government Code Sections 8100-91014.

described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

The Superintendent will hold a public hearing starting at 10:00 a.m. on June 17, 2003, at 1430 N Street, Room 4102. The room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Superintendent requests that any person desiring to present statements or arguments orally notify the Regulations Adoption Coordinator of such intent. The Superintendent requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Adoption Coordinator. The written comment period closes at **5:00 p.m. on June 16, 2003**. The Superintendent will only consider written comments received by the Regulations Adoption Coordinator by that time (in addition to those comments received at the public hearing). Written comments for the Superintendent's consideration should be directed to:

Debra Strain, Regulations Adoption Coordinator
California Department of Education
1430 N Street, Room 5319
Sacramento, California 95814
Telephone: (916) 319-0641
E-mail: dstrain@cde.ca.gov

AUTHORITY AND REFERENCE

Authority: Section 52295.30, Education Code.

Reference: Sections 52295.10-52295.55, Education Code; Public Law 107-110, Title II, Part D, Sections 2401-2441; 20 USC Sections 6751-6777.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

The State Superintendent of Public Instruction (SSPI) proposes to adopt Sections 11971-11979.5 in Title 5 of the California Code of Regulations (CCR). These sections address the Enhancing Education Through Technology (EETT) Competitive Grant program. This grant program is governed by two legislative mandates: *No Child Left Behind Act of 2001* (Public Law 107-110), SB 192 (O'Connell), Education Code sections 52295.10-52295.55, hereinafter referred to as SB 192 (O'Connell).

The purpose of these regulations is to satisfy the administrative requirements for the competitive grant portion of the Enhancing Education Through Technology (EETT) program, established as part of the federal *No Child Left Behind Act* (Public Law 107-110, Title II, Part D, Section 2401.) In addition to the federal requirements, SB 192 (O'Connell) established the Education Technology Grant Program of 2002, which further determined ways in which funds could be allocated to California schools. The funding purpose is to provide funding for grades 4-8 to assist eligible districts to utilize technology to enhance teaching and to promote learning.

The SSPI will administer the grant program of approximately \$41 million, including the application process for the award of grants, and has adopted emergency regulations to administer the EETT Grant Program and to allocate program funds.

The grant will be administered in a manner consistent with the federal Department of Education General Administrative Regulations (EDGAR), 34 CFR Part 76, 77, 80, 81, 82, 85, and 86 (<http://www.access.gpo.gov/cgi-bin/cfrassemble.cgi?title=199834>).

Eligibility to receive grant funding from the competitive EETT grant is limited to districts serving students in grades 4 through 8 that are among the school districts in the state with the highest number or percentage of children from families with an income below the poverty line established by the federal Director of the Office of Management and Budget, and that meet either of the following criteria:

- A. The district operates one or more schools identified under Section 1116 of the federal *No Child Left Behind Act of 2001* (Public Law 107-110) or
- B. The district has a substantial need for assistance in acquiring and using technology defined as having an average of 10:1 student-to-multimedia computer ratio or greater in schools serving grades 4-8 in the district or an average of less than 50 percent of classrooms connected to the Internet in schools serving grades 4-8 in the district as determined by the California School Technology Survey for the year prior to the grant award.

Districts serving other populations (i.e., K-8, or K-12) may apply for the grant, but funds will only be awarded for students in grades 4 through 8.

Funding priority will be based on the following:

- 1) Application score percentage range (100-90, 89-80, 79-70, 69-60, and 59-50);
- 2) Insufficient funding received from EETT formula-funded grant (determined to be less than \$10,000);
- 3) Type of school within each scoring percentage range (i.e., middle and junior high schools,

elementary schools, other eligible schools that serve students in grades 4–8)

All applications that receive 50 percent or more of the total points possible will be grouped by score percentage ranges (100–90, 89–80, 79–70, 69–60, and 59–50). Within each score percentage range, applications will be ranked as follows:

- a. Applications from school districts that received less than \$10,000 in funding from the EETT formula grant will be ranked by score percentage and listed first. In the event of a tied score, the applicant with the higher substantial need in acquiring and using technology as determined by the California School Technology Survey, and with consideration for any technology purchased through the School Renovation Technology Grant, will be listed first.
- b. Applications from school districts that received \$10,000 or more in funding from the EETT formula grant will be ranked by score percentage range and placed below the school districts that received less than \$10,000 in EETT formula funding. In the event of a tied score, the applicant with the higher substantial need in acquiring and using technology as determined by the California School Technology Survey, and with consideration for any technology purchased through the School Renovation Technology Grant, will be listed first.
- c. Starting with the 100–90 score percentage range and working downward, funding will be allocated within each scoring percentage range to school districts based upon the middle and junior high schools contained in each application.
- d. If there is a balance remaining after all middle and junior high schools have been funded, starting with the 100–90 score percentage range and working downward, funding will then be allocated within each score percentage range to each school district based upon the elementary schools in each application.
- e. If there is a balance remaining after all elementary schools have been funded, starting with the 100–90 score percentage range and working downward, funding will be allocated within each score percentage range to each school district based upon the other eligible schools serving grades 4–8 in each application. In the event of a tied score, the applicant with the higher substantial need in acquiring and using technology as determined by the California School Technology Survey, and with consideration for any technology purchased through the School Renovation Technology Grant will be listed first.

It is anticipated that at some point in the process, there will be insufficient funds remaining to fund all of a certain type of school (i.e., middle and junior high schools, elementary schools, other eligible schools that serve students in grades 4–8) in a district or consortium application. If this occurs, the schools in the application will be funded based upon their priority listing on Form 8a, 8b, or 8c until all funding is allocated. School type will be verified prior to funding.

Grant allocations shall be made to school districts (or a consortium of school districts) on a geographic basis conforming to the 11 California Technology Assistance Project (CTAP) regions. The amount of funding for grants available to each region was determined based upon the proportionate enrollment of students in grades 4 to 8, inclusive, in eligible schools from that region.

There will be an initial one-time implementation grant of \$300 per eligible student. An additional \$300 per eligible student for students in grade 9 may be allocated if the school did not receive funding for these students under the Digital High School Education Technology Grant Act of 1997 (Chapter 8.5, commencing with Section 52250). Upon successful completion of the initial grant, districts shall receive an additional one-time grant of \$45 per eligible student to be used at the school or schools selected for funding, subject to availability of federal funding appropriated for competitive grants under Part D of Title II of the federal *No Child Left Behind Act of 2001* (Public Law 107-110). Schools with 300 or fewer students in all grades will meet the definition of “small school” and will be eligible for a minimum implementation grant and a minimum one-time grant. Minimum grants will allow a productive education technology program to be implemented and will help to ensure that a high-quality education technology program will be effectively integrated into the curriculum.

Definitions derived from federal and state statutes include:

- A. “Not of sufficient size to be effective” as used in NCLB legislation, refers to the amount of funding received through the EETT-formula grant by a Local Education Agency (LEA). An insufficient amount has been defined as being less than \$10,000.
- B. “School district” as used in SB 192 (O’Connell) means a school district or a consortium of school districts, a county office of education or a direct-funded charter school that meets all of the following criteria:

1. The district is among the school districts in the state with the highest number or percentage of children from families with an income below the poverty line established by the federal Director of the Office of Management and Budget and;
 2. The district serves students in grades 4–8, inclusive (students in grade 9 may be included if the school did not receive prior funding for these students under the Digital High School Education Technology Grant Act of 1997 (Chapter 8.5 (commencing with Section 52250))); and,
 3. The district meets either of the following two criteria:
 - a. The district operates one or more schools identified for improvement or corrective action under Section 1116 of the federal *No Child Left Behind Act of 2001* (Public Law 107-110). A list of these schools can be found on the California Department of Education web site at <http://www.cde.ca.gov/iasa/titleone/pi/query.asp>

or

 - b. The district has a substantial need for assistance in acquiring and using technology, defined as having an average of 10:1 student-to-multimedia computer ratio or greater in schools serving grades 4–8 in the district or an average of less than 50 percent of classrooms connected to the Internet in schools serving students in grades 4–8 in the district as determined by the California School Technology Survey for the year prior to the grant award.
- C. “Substantial need for assistance in acquiring and using technology” as used in SB 192 (O’Connell) is defined as having an average of 10:1 student-to-multimedia computer ratio or greater in schools serving grades 4–8 in the district or an average of less than 50 percent of classrooms connected to the Internet in schools serving students in grades 4–8 in the district as determined by the California School Technology Survey for the year prior to the grant award.
 - D. “Eligible schools” as defined in SB 192 (O’Connell) means schools from eligible districts that serve students in grades 4–8.
 - E. “Small school” as used in SB 192 (O’Connell) means a school that has 300 or fewer eligible students in all grades.
 - F. “Minimum grant levels for a small school” as used in SB 192 (O’Connell) means an implementation grant base amount of \$25,000 for 1–100 eligible students plus \$300 per eligible student in excess of the first 25 eligible students; an implementation grant base amount of \$15,000 for 101–200 eligible students plus \$300 per eligible student in excess of the first 25 eligible students; and an implementation grant base amount of \$10,000 for 201–300 eligible students plus \$300 per eligible student in excess of the first 25 eligible students.
 - G. “Amount of funding for grants available to each region” as used in SB 192 (O’Connell) means the proportional enrollment of eligible students, in eligible districts from each of the eleven CTAP regions.
 - H. “Successfully completes” as used in SB 192 (O’Connell) means the school district has met or made significant progress (70 percent or greater) in meeting its August 31, 2005, accountability measures and will be eligible to apply for the one-time follow-up grant award, depending on funding availability.
 - I. “Accountability Measures” as used in SB 192 (O’Connell), means the following six performance goal benchmarks:
 1. The percentage of students in the target group that demonstrate an increase in the utilization of technology to support meeting or exceeding academic content standards will increase from a baseline of <provided by school district>% in the 2002–2003 school year to <provided by school district>% by August 31, 2004, to <provided by school district>% by August 31, 2005.
 2. Teachers in the target group who participated in professional development on education technology will demonstrate an increase in their proficiency in the use of technology as a tool for teaching and learning from a baseline of <provided by school district>% in the 2002–2003 school year to <provided by school district>% by August 31, 2004, and to <provided by school district>% by August 31, 2005.
 3. Teachers in the target group participating in professional development on education technology will increase their use of technology as a tool to support student academic achievement from a baseline of <provided by district>% in the 2002–2003 school year to <provided by district>% by August 31, 2004, and to <provided by school district>% by August 31, 2005.
 4. The average student-to-multimedia computer ratio at funded schools in the application will decrease from a baseline of <provided by school district> in the 2002–2003 school year to <provided by school district> by August 31, 2004, and to <provided by school district> by August 31, 2005.

5. The percentage of funded schools in the application with less than 50 percent of classrooms connected to the Internet will decrease from the August 31, 2004, benchmark of <provided by school district>% to <provided by school district>% by August 31, 2005.
6. The applicant will enter the appropriate benchmark based upon the program with baseline and benchmark for the time periods that end on August 31, 2004, and August 31, 2005, to address the communication/collaboration utilizing technology that will be implemented or improved to support home, school, and community. The benchmark(s) must also address how that implementation or improvement will be measured and the benchmark that will be targeted.

Both the grant application and the scoring criteria will address the implementation and support of a comprehensive program based on research that effectively uses technology to improve student academic achievement in a manner consistent with other school district and school site efforts to improve student academic achievement. The comprehensive program will include the following components:

- A. Program for Students
- B. Professional Development
- C. Expanded Access to Learning Resources, Including Infrastructure, Equipment and Technical Support
- D. Communication and Collaboration Among Home, School and Community
- E. Evaluation

In consultation with the CDE, and consistent with the requirements of the *No Child Left Behind Act of 2001* (Public Law 107-110), California Technology Assistance Project (CTAP) shall provide assistance to school districts in the application process and shall assist grant recipients with the implementation and evaluation of their grants, subject to federal funding being allocated in the state budget for this technical assistance.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Cost to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed upon local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impact on a representative private person or business: The Superintendent is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant affect on housing costs: The superintendent has made an initial determination that the proposed regulatory action would not affect housing costs.

Affect on small businesses: The proposed regulations will have no affect on small businesses because the regulations only apply to Local Education Agencies (LEAs) and their subgrantees.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Superintendent must determine that no reasonable alternative considered by the Superintendent or that has otherwise been identified and brought to the attention of the Superintendent would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Superintendent invites interested persons to present statements or arguments regarding alternatives to the proposed regulations at the above-mentioned hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action should be directed to:

Joyce Hinkson, Consultant
California Department of Education
Data Management Division
1430 N Street, Room 3600
Sacramento, California 94244-2720
Telephone: (916) 323-2241;
E-mail: jhinkson@cde.ca.gov

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is

based or questions on the proposed administrative action may be directed to Debra Strain, Regulations Adoption Coordinator, or to the backup contact person, Natalie Vice, at (916) 319-0642.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Adoption Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Adoption Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the Superintendent may adopt the proposed regulations substantially as described in this notice. If the Superintendent makes modifications which are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the Superintendent adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Adoption Coordinator at the address indicated above. The Regulations Adoption Coordinator will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Adoption Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's website at <http://www.cde.ca.gov/regulations>.

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

NOTICE OF PUBLIC MEETING/PUBLIC HEARING/BUSINESS MEETING OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD AND NOTICE OF PROPOSED CHANGES TO TITLE 8 OF THE CALIFORNIA CODE OF REGULATIONS

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

PUBLIC MEETING: On **June 19, 2003** at 10:00 a.m. in the Auditorium of the State Resources Building, 1416 Ninth Street, Sacramento, California.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

PUBLIC HEARING: On **June 19, 2003** following the Public Meeting in the Auditorium of the State Resources Building, 1416 Ninth Street, Sacramento, California.

At the Public Hearing, the Board will consider the public testimony on the proposed changes noticed below to occupational safety and health regulations in Title 8 of the California Code of Regulations.

BUSINESS MEETING: On **June 19, 2003** following the Public Hearing in the Auditorium of the State Resources Building, 1416 Ninth Street, Sacramento, California.

At the Business Meeting, the Board will conduct its monthly business.

The meeting facilities and restrooms are accessible to the physically disabled. Requests for accommodations for the disabled (assistive listening device, sign language interpreters, etc.) should be made to the Board office no later than 10 working days prior to the day of the meeting. If Paratransit services are needed, please contact the Paratransit office nearest you.

NOTICE OF PROPOSED CHANGES TO TITLE 8
OF THE CALIFORNIA CODE OF REGULATIONS
BY THE OCCUPATIONAL SAFETY AND
HEALTH STANDARDS BOARD

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, Construction Safety Orders Electrical Safety Orders and General Industry Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on June 19, 2003.

1. TITLE 8: CONSTRUCTION SAFETY ORDERS
Chapter 4, Subchapter 4, Article 12
Sections 1600 and 1601
Pile Driving and Methods of Unloading Piles
2. TITLE 8: ELECTRICAL SAFETY ORDERS
Chapter 4, Subchapter 5, Article 74
Sections 2561.31 and 2561.32
GENERAL INDUSTRY SAFETY ORDERS
Subchapter 7, Article 91, Section 4885
and Article 99, Section 5022
Monorails Hoists, Monorail Cranes and Track

A description of the proposed changes are as follows:

1. TITLE 8: CONSTRUCTION SAFETY ORDERS
Chapter 4, Subchapter 4, Article 12
Sections 1600 and 1601
Pile Driving and Methods of Unloading Piles

INFORMATIVE DIGEST OF PROPOSED
ACTION/POLICY STATEMENT OVERVIEW

This rulemaking action is the result of two petitions submitted to the Occupational Safety and Health Standards Board (OSHSB, i.e., Board) regarding pile driving regulations contained in Construction Safety Orders (CSO) Article 12, Sections 1600 and 1601 (OSHSB Petition File Nos. 410 and 413) submitted by Mr. Dennis Jones, Safety Committee Chairman, and Mr. Rod Hurd, Business Representative, both of the Pile Drivers, Bridge, Dock and Wharf Builders (PBDW), Local Union 2375. Petition No. 410, submitted by Mr. Jones, requested the Board to address concerns about outdated terminology and discrepancies between Federal OSHA standards in Title 29, Code of Federal Regulations (29 CFR) Section 1926.603(c)(5) and existing state standards regarding employee exposures to an operating ham-

mer. Petition No. 413, submitted by Mr. Hurd, regarded crew size issues. On June 15, 2000, the Occupational Safety and Health Standards Board granted the petitions to the extent that Board staff was directed to convene an advisory committee to consider the Petitioners' requests. An advisory committee was convened on August 18, 2000, to review CCR Title 8 pile driving regulations contained in CSO Article 12, Sections 1600 and 1601. This proposed rulemaking action represents Board staff's recommendations based on the consensus agreements of the ad hoc committee.

This proposed rulemaking action contains numerous nonsubstantive, editorial, reformatting of subsections, and grammatical revisions. These nonsubstantive revisions are not all discussed in this Informative Digest. However, these proposed revisions are clearly indicated in the regulatory text in underline and strikeout format. In addition to these nonsubstantive revisions, the following actions are proposed:

Section 1600. Pile Driving.
Subsection (a)

Existing subsection (a) is proposed for revision and renumbering as subsection (b). A new subsection (a) is proposed which prescribes a site-specific safety plan. Prior to the start of a job, the employer shall develop a written site-specific safety plan, a copy of which shall be available on-site and provided to the Division upon request. The plan shall consist of: an outline of the construction plan and the steps involved in drilling and/or driving piles; a list of potential safety and health hazards for each step and precautions to be taken, i.e., means and methods to minimize employee exposure to operating drill and/or hammer and means and methods to provide safe access, handling and setup of piles, equipment and vehicles; a projected work schedule and minimum number of employees needed to safely complete each step; and special site-specific procedures, equipment and/or training such as for blasting operations, shoring, traffic control, confined space operations, overhead power lines, work over water, etc. This section is proposed for addition in order to provide safety at least as effective as that required by 29 CFR 1926.603(c)(5). The federal standard was not adopted verbatim since the advisory committee consensus was that the federal standard was unworkable in California and could shut down most jobsites if rigidly enforced. The proposed site-specific safety plan was developed to provide equivalent safety while providing flexibility in addressing unique site conditions. The proposed new subsection will have the effect of providing safety to employees and the public that is at least as effective as that required by federal standards, while providing employers flexibility in complying with the standard.

Subsection (b)

Existing subsection (a) requires that when employees are working under the hammer, the hammer shall be secured in the leads by means of an adequate chock, toggle or other device to safely support the hammer. It is proposed to revise and renumber subsection (a) as subsection (b) and delete the out-dated and vague terminology, “chock, toggle, or other device.” Neither “chock” nor “toggle” are terms used in contemporary pile driving, and “other device” is inexact and might result in the use of an inappropriate device to secure the hammer. The proposed revision replaces the existing standard with the federal standard contained in 29 CFR 1926.603(a)(5) verbatim. The effect on the regulated public will be to clarify the requirements for securing the hammer when employees are working under it and harmonize California and federal standards.

Subsection (c)

The requirements of existing subsections (b) and (c) have been combined into proposed new subsection (c). Existing subsection (b) is nearly verbatim of 29 CFR 1926.603(a)(9), which requires steam and/or air hose connections for pile drivers to be secured by chains or cables to prevent whipping in the event the joint at the hammer is broken. Existing subsection (c) is verbatim of 29 CFR 1926.603(a)(10), which requires safety chains or equivalent means to be provided for each hose connection in order to prevent the line from thrashing around in case the coupling becomes disconnected. It is proposed to combine and amend these requirements to clarify that all pile driver hose connections, including those at pile driver hammers, pile ejectors, or jet pipes, are subject to the same tether requirements. Furthermore, the proposed revisions will prescribe minimum cross-section and strength requirements for chain and cables used for this purpose and prohibit shortening chains and cables with makeshift methods. The effect of these revisions will be to provide minimum standards for safety tethers and to prohibit practices that are known to weaken the strength of the tethers.

Subsection (d)

The existing subsection requires working platforms to be provided for employees when it is necessary for them to work aloft on operating pile drivers and prescribes standards for railings or guard lines. It is proposed to revise this subsection to require that platforms be provided wherever it is necessary for employees to work aloft on pile drivers while pile is being driven and the fall distance exceeds 7½ feet. Other minor editorial revisions are also proposed. The effect of these revisions will be to clarify the existing requirement for provision of a working platform

whenever it is necessary for the employee to be aloft while pile is being driven and to establish a fall distance trigger height of 7½ feet above which a working platform shall be provided.

Subsection (e)

Existing subsection (e) requires precautionary measures to be taken, including the use of toeboards, to prevent tools, material and equipment from falling off elevated platforms. It is proposed to clarify that wind and accidental displacement are the forces to be guarded against, and that toeboard height conforms with Section 1621(b). The effect of these revisions will be to clarify when protection from falling objects is required and to ensure consistency with other Construction Safety Order requirements.

Subsection (f)

Existing subsection (f) is the California equivalent of 29 CFR 1926.603(a)(8). The existing federal standard contains obsolete requirements for provisions for the worker to engage his safety belt lanyard to the leads. It is proposed to revise the fall protection reference from Section 1670 to the more comprehensive Article 24. The effect of this revision is to provide all fall protection options available under Article 24, rather than limiting the option to strictly personal fall arrest systems.

Subsection (g)

Existing subsection (g) prescribes stirrups for use on sheet piles or mechanical devices for guiding the pile into place. A ladder or boatswain’s chair is required if it is necessary for the employee to go aloft on sheet piling. It is proposed to revise the standard to prescribe a ladder as the primary means of going aloft on sheet piling. An “exception” is proposed that will permit the use of a boatswain’s chair, in accordance with Section 1662, where it is unsafe to use a ladder. The effect of these revisions will be to permit the use of a boatswain’s chair when the use of a ladder is deemed unsafe and prescribe the manner in which a boatswain’s chair may be used safely.

Subsection (w)

Existing subsection (w) requires that when driving jacketed piles, all access pits shall be provided with ladders and bulkheaded curbs to prevent material from falling into the pit. A revision is proposed to add an informational “note” to direct the regulated public to General Industry Safety Order (GISO) Section 5158 for confined space operations. The proposed revision will have no effect on the regulated public other than to serve as a reminder that the confined space requirements contained in Section 5158 may be applicable to work performed in the pit.

Proposed new subsection (x)

Proposed new subsection (x) requires that hoisting of piling shall be done by use of a hook with a means to prevent accidental disengagement or a shackle shall be used in place of a hook. The effect of this subsection will be to prevent accidental disengagement of the load from the lifting hook.

Proposed new subsection (y)

Proposed new subsection (y) requires that taglines be used to control unguided piles and free hanging/free flying hammers. The effect of this subsection will be to clarify that piles and free hammers are hazardous objects requiring control.

Proposed new subsection (z)

Proposed new subsection (z) requires that hammers be lowered to the bottom of the leads while the pile driver is being moved. The effect of this subsection will be to reduce the possibility that the pile driver could become unstable due to uneven terrain or inertial effects of the elevated hammer.

Section 1601. Methods of Unloading Piles.

The consensus of an ad hoc committee review was that this section contains regulations that are outdated, unnecessary and irrelevant to current industry practices. Since there is no federal counterpart to this section, it is proposed to replace the entire section with the requirement that piles be unloaded in a controlled manner so that employees are not exposed to the hazard of rolling or falling piles. The effect of this revision will be to eliminate outdated, unnecessary and irrelevant regulations while maintaining the intent of the existing requirement that employees be protected from the hazards of rolling or falling piles during unloading operations.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

The Board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Private Persons or Businesses

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulations do not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, these regulations do not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.)

These proposed regulations do not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulations require local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, these proposed regulations do not in any way require local agencies to administer the California Occupational Safety and Health program. (See *City of Anaheim v. State of California* (1987) 189 Cal.App.3d 1478.)

These regulations do not impose unique requirements on local governments. All employers—state, local and private—will be required to comply with the prescribed standards.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses.

ASSESSMENT

The adoption of the proposed amendments to these regulations will neither create nor eliminate jobs in the

State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

A description of the proposed changes are as follows:

2. TITLE 8: ELECTRICAL SAFETY ORDERS
Chapter 4, Subchapter 5, Article 74
Sections 2561.31 and 2561.32
GENERAL INDUSTRY SAFETY ORDERS
Subchapter 7, Article 91, Section 4885 and Article 99, Section 5022
Monorails Hoists, Monorail Cranes and Track

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

The Occupational Safety and Health Standards Board (Board) initiates this rulemaking to make the above sections consistent with the recently amended wording of Section 4885 which added definitions of "Monorail Crane" and "Track," and amended the definition of "Monorail Hoist."

Section 2561.31 specifies requirements for disconnecting crane and hoist runway conductors including monorail hoists and monorail cranes and their associated tracks.

This rulemaking would add the words "Track and" in Section 2561.31, before "Runway" in the section title, and would add "track and" before "runway" in the text. These amendments make Section 2561.31 consistent with the recently amended language in the definitions of "Monorail crane," "Monorail hoist" and "Track" in Article 91, Section 4885 of the GISO.

Section 2561.32 specifies requirements for disconnecting cranes and hoists, including monorail hoists and monorail cranes and their associated tracks.

This rulemaking would add the words "track and" in Section 2561.32 before runway, and "monorail crane" after "monorail hoist" in the exception paragraph. These amendments make Section 2561.32 consistent with the recently amended language in the definitions of "Monorail crane," "Monorail hoist" and "Track" in Article 91, Section 4885 of the GISO.

Section 4885 definitions include "Man Trolley," which is an operator's cage of monorail hoists and monorail cranes.

This rulemaking would add the words "or a monorail crane" after "a monorail hoist" in the text. This amendment makes the definition of "Man Trolley" in Section 4885 consistent with the recently amended language in the definitions of "Monorail crane," "Monorail hoist" and "Track" in the same section.

Section 5022(c) contains proof load testing and examination requirements for cranes and their accessory gear.

This rulemaking would replace the word "hoists" with the word "cranes" throughout the text, and would add "track," before bridge/runway(s) in Section 5022(c). This rulemaking would also remove the parentheses from "(and cross-overs)" in the text. These amendments make Section 5022 consistent with the recently amended language in the definitions of "Monorail crane," "Monorail hoist" and "Track" in Article 91, Section 4885 of the GISO.

These changes will not effect the requirements of the above section but merely update regulatory language consistent with recent changes to Section 4885.

The recent passage of AB 3000 resulted in changes to Section 18909(j) of the Health and Safety Code amending the definition of building standards, and the repeal of Section 142.6 of the Labor Code, deleting specific requirements regarding the adoption of building standards by the Board. These changes exempt the Occupational Safety and Health Standards Board from the California Building Standards law that requires all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval or adoption. Therefore, modifications are proposed to delete the Title 24 and Health and Safety Code references from Sections 2561.31 and 2561.32.

The proposed rulemaking is consistent with requirements in 29 CFR 1910.179 and 1919.71.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

The Board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposed

amendment clarifies the regulation to eliminate confusion about the definition and regulatory requirements for trolley suspension hoists.

Cost Impact on Private Persons or Businesses

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulation does not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, the regulation does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.)

The proposed regulation does not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulation requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed regulation does not in any way require local agencies to administer the California Occupational Safety and Health program. (See *City of Anaheim v. State of California* (1987) 189 Cal.App.3d 1478.)

The proposed regulation does not impose unique requirements on local governments. All employers—

state, local and private—will be required to comply with the prescribed standard.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses.

ASSESSMENT

The adoption of the proposed amendments to this regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The above proposals do not contain building standards as defined by Health and Safety Code Section 18909.

A copy of the proposed changes in STRIKEOUT/UNDERLINE format is available upon request made to the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than June 12, 2003. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on June 19, 2003 will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at oshsb@hq.dir.ca.gov. The Occupational Safety and Health Standards Board may thereafter adopt the above proposal substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Marley Hart, Acting Executive Officer, or Michael Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

TITLE 14. FISH AND GAME COMMISSION

NOTICE OF PROPOSED CHANGES IN REGULATIONS

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 8500 and 9003 of the Fish and Game Code and to implement, interpret or make specific sections 8500, 9003 and 9008 of said Code, proposes to amend Sections 180.2, Title 14, California Code of Regulations, relating to trap destruction devices.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing regulations in Section 180.2, Title 14, CCR, require that all traps used for commercial fishing in California must contain a trap destruction device and lists the approved destruct attachment materials. The specifications for the device approved for use in Dungeness crab traps are contained in two identically numbered subsections (subsection 180.2(c)). One of these sections is current law and was intended to become inoperative on July 16, 2003. At this time, the replacement section was to become operative.

These proposed regulatory changes would extend the effective period of the currently active subsection 180.2(c), from July 16, 2003 to July 16, 2006. Its replacement subsection 180.2(c) would become effective

July 16, 2006. This date extension is necessary for the Department of Fish and Game to adequately study these trap destruction devices.

Also proposed are regulatory changes to better define subsection (b)(3). These changes would add the word "uncoated" to better describe the bare metal clips used as the destruct material on traps, and would remove an out-dated phrase "J clips".

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Mammoth Lakes Community Center, 1000 Forest Trail, Mammoth Lakes, California, on Friday, June 20, 2003, at 8:30 a.m., or as soon thereafter as the matter may be heard. Written comments may be submitted to the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@dfg.ca.gov, but must be received no later than June 20, 2003, at the hearing in Mammoth Lakes, CA. E-mail comments must include the true name and mailing address of the commentor.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John M. Duffy, Assistant Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to John M. Duffy or Sherrie Koell at the preceding address or phone number. Eric Larson, California Department of Fish and Game, phone (650) 631-6788, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at http://www.dfg.ca.gov/fg_comm/.

AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

IMPACT OF REGULATORY ACTION

The potential for significant statewide adverse economic impacts that might result from the proposed

regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete With Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The principal proposed regulatory changes provide for an extension of a sunset date for the reversion of the regulations defining trap destruction device opening requirements. At the time the sunset date becomes effective, the allowance for more than a single wire mesh to protrude into the destruct device opening will expire. The extension of the sunset date will require no action on the part of the California Dungeness crab fishermen or related businesses. The additional proposed regulatory changes are minor language revisions for clarity purposes only. Subsequently, there will be no direct or indirect economic impacts associated with any of the regulatory changes proposed.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:
The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District That Is Required to Be Reimbursed under Part 7 (Commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business.

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

TITLE 22. DEPARTMENT OF TOXIC SUBSTANCES CONTROL

45-DAY PUBLIC NOTICE AND COMMENT PERIOD

PROPOSED REGULATIONS

LAB PACK MANAGEMENT AT SCHOOLS HAZARDOUS WASTE COLLECTION, CONSOLIDATION AND ACCUMULATION FACILITIES (SHWCCAFs) UNDER PERMIT BY RULE (PBR) R-02-11

NOTICE IS HEREBY GIVEN that the Department of Toxic Substances Control (the Department) proposes to amend California Code of Regulations, title 22, section 67450.42(c) to allow, under specified conditions, science laboratory waste lab packs to be reopened and repackaged at a SHWCCAF.

PUBLIC HEARING AND WRITTEN COMMENT PERIOD

The Department will hold a public hearing on the proposed regulations at 10:00 a.m. on **June 16, 2003** in the **Central Valley Auditorium**, 2nd Floor, 1001 "I" Street, Sacramento, at which time any person may present statements or arguments orally or in writing, relevant to this proposal. Please submit written comments to the contact person listed at the end of this notice. Written comments on the rulemaking submitted no later than 5:00 p.m. on **June 16, 2003** will be considered.

Representatives of the Department will preside at the hearing. Persons who wish to speak are requested to register before the hearing. Pre-hearing registration will be conducted at the location of the hearing from 9:30 a.m. to 10:00 a.m. Registered persons will be heard in the order of their registration. Any other person wishing to speak at the hearing will be afforded an opportunity after the registered persons have been heard.

Due to enhanced security precautions at the Cal/EPA Headquarters Building located at 1001 I Street, Sacramento, all visitors are required to

sign in prior to attending any meeting. Sign-in and badge issuance occur in the Visitor and Environmental Services Center. This Center is located just inside and to the left of the building's public entrance. Depending on their destination and the building security level, visitors may be asked to show valid picture identification. Valid picture identification can take the form of a current drivers license, military identification card, or state or federal identification cards. Depending on the size and number of meetings scheduled on any given day, the security check-in could take from three to fifteen minutes. Please allow adequate time to sign in before being directed to your meeting.

AUTHORITY AND REFERENCE

These regulations are being proposed under the following authorities:

Health and Safety Code section 25150. This section grants the Department authority to adopt standards dealing with the management of hazardous waste.

Health and Safety Code section 25200. This section authorizes the Department to impose conditions on hazardous waste facilities permits.

These regulations implement, interpret, or make specific the following:

Health and Safety Code section 25150. This section grants the Department authority to adopt standards dealing with the management of hazardous waste.

Health and Safety Code section 25200. This section authorizes the Department to impose conditions on hazardous waste facilities permits.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing Law

In California, offsite storage of hazardous waste is a regulated activity that requires authorization under the Department's five-tiered permit program for hazardous waste treatment or storage. Prior to 2002, the only tiered permitting option available for offsite collection and storage of hazardous wastes generated by K-12 schools was the Standardized Permit. Standardized Permit requirements are generally intended to address higher-risk hazardous waste management activities, such as those commonly found at commercial facilities that treat or store large volumes of hazardous wastes. In addition to facility operation requirements, the Standardized Permit also requires a detailed review and environmental impact assessment of the proposed facility operation prior to issuance of a permit.

However, while the amount and specific types of waste generated at each school will vary according to school size and curriculum, the types of hazardous waste generated by the routine operation and maintenance of K-12 schools is very similar to the types and amounts of wastes collected at household hazardous

waste collection facilities permitted under Permit by Rule (PBR). Therefore, effective January 30, 2002, the Department instituted new regulations¹ that provide school districts with a PBR authorization alternative to the Standardized Permit for offsite collection, consolidation, and accumulation of hazardous wastes generated by the routine operation and maintenance of K-12 schools. These offsite PBR facilities are known as Schools Hazardous Waste Collection, Consolidation, and Accumulation Facilities (SHWCCAFs).

The existing PBR authorization requirements for SHWCCAFs include waste management, transport, and facility operation restrictions and protections. Specifically, under the existing SHWCCAF PBR regulations, non-reactive (not shock-sensitive or explosive) hazardous wastes generated from K-12 school science laboratories (including chemistry, physics, and biology classes) may be managed at a SHWCCAF only if certain conditions are met. One of these conditions requires that the wastes be lab packed at the generating school prior to transport to the SHWCCAF. This condition also stipulates that these lab packs cannot be reopened during transportation to the SHWCCAF, or at the SHWCCAF.

POLICY STATEMENT OVERVIEW

The issue of concern in the existing SHWCCAF PBR regulations is the requirement that school science laboratory waste lab packs may not be reopened at the SHWCCAF. This provision has been identified as an unnecessary and burdensome requirement that prevents school districts from repackaging partially filled lab packs at the SHWCCAF for more efficient and economic management and transport of the wastes.

Changing the existing requirements to allow school science laboratory waste lab packs to be reopened and repackaged at the SHWCCAFs will help school districts save money by reducing packing material and shipping costs for transport and disposal of lab packs that are only partially filled with waste. In addition, allowing repackaging of lab packs at the SHWCCAF will help divert extra volumes of waste (in the form of multiple, partially empty lab packs) from hazardous waste disposal facilities, thereby helping to preserve hazardous waste disposal facility capacity in California, and promoting school district pollution prevention/source reduction practices.

Therefore, with the proposed regulations, the Department intends to encourage both pollution prevention and source reduction by school districts, as well as school district use of SHWCCAFs, by allowing more efficient management of lab packed school hazardous wastes.

¹ Cal. Code Regs., tit. 22, div. 4.5, ch. 45, art. 5, commencing with sec. 67450.40, et seq.

PROPOSED REGULATIONS

The proposed regulations would allow, under specified conditions, school science laboratory waste lab packs to be reopened and repackaged as necessary at the SHWCCAF to provide for efficient and economic, as well as safe management and transport of the wastes to authorized recycling or disposal facilities.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

The Department has found this rulemaking project to be exempt under CEQA. A draft of the Notice of Exemption (NOE) is available for review with the rulemaking file. The NOE will be filed with the State Clearinghouse when the regulations are adopted.

PEER REVIEW

Peer review according to the provisions of Health and Safety code section 57004 is not required because the proposed regulations are administrative standards for which the underlying scientific principles and decision tools have already been established.

BUSINESS REPORT

The Department has determined that this rulemaking will not require businesses to write a new report, as defined by Government Code section 11346.3(c).

FISCAL IMPACT ESTIMATES

Mandates on Local Agencies and School Districts: The Department has made a preliminary determination that adoption of these regulations will create no new local mandates.

Estimate of Potential Cost or Savings to Local Agencies Subject to Reimbursement: The Department has made a preliminary determination that adoption of these regulations will not impose a local mandate or result in costs subject to reimbursement pursuant to part 7 of division 4, commencing with section 17500, of the Government Code or other nondiscretionary costs or savings to local agencies.

Cost or Savings to Any State Agency: The Department has made a preliminary determination that the proposed regulations will have no impact on State revenue or costs.

Cost or Savings in Federal Funding to the State: The Department has made a preliminary determination that the proposed regulations will have no impact on Federal revenue or costs.

Effect on Housing Costs: The Department has made an initial determination that there will be no impact on housing costs.

Cost Impacts on Representative Private Persons or Businesses: The Department is not aware of any cost impacts that a representative private person or

business would necessarily incur in reasonable compliance with the proposed action.

Significant Statewide Adverse Economic Impact on Businesses: The Department has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability to compete with businesses in other states.

Assessment Statement:

- (A) **Creation or elimination of jobs within California**—The Department has made a preliminary determination that no jobs will be created or eliminated in California as a result of the proposed regulations.
- (B) **Creation of new businesses or the elimination of existing businesses within California**—The Department has made a preliminary determination that no businesses will be created or eliminated in California as a result of the proposed regulations.
- (C) **Expansion of businesses currently doing business in California**—The Department has made a preliminary determination that no businesses in California will be expanded as a result of the proposed regulations.

Effect on Small Businesses: The Department has determined that provisions of this rulemaking may have an effect on small businesses.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action. The Department invites interested persons to present arguments, with respect to the various options, at the scheduled hearing, or during the written comment period.

AVAILABILITY OF TEXT OF REGULATIONS AND STATEMENT OF REASONS

Copies of the Notice, Initial Statement of Reasons and the text of the proposed regulations are posted to the Department's Internet site at <http://www.dtsc.ca.gov> or may be obtained from Ms. Joan Ferber of the Department's Environmental Analysis and Regulations Section as specified below. The information upon which the Department relied is also available at the address listed below.

POST-HEARING CHANGES

After the close of the comment period, the Department may adopt the proposed regulations. If substantial changes are made, the modified text will be

made available for comment for at least 15 days prior to adoption. Only persons who request the specific proposed regulations, attend the hearing, or provide written comments on these specific regulations will be sent a copy of the modified text, if substantive changes are made.

Once regulations have been adopted, the Department prepares a Final Statement of Reasons which updates the Initial Statement of Reasons, summarizes how the Department addressed comments and includes other materials, as required by Government Code section 11346.9. Copies of the Final Statement of Reasons may be obtained from Ms. Joan Ferber at the address listed below. A copy of the Final Statement of Reasons will also be posted on the Department's Internet site at <http://www.dtsc.ca.gov>, along with the date the rulemaking is filed with the Secretary of State and the effective date of the regulations.

CONTACT PERSONS

Inquiries regarding technical aspects of the proposed regulations or CEQA documents may be directed to Ms. Cheryl Closson at (916) 324-6564 or, if unavailable, Ms. Sonia Low at (916) 323-9757. However, such oral inquiries are not part of the rulemaking record.

Statements, arguments or contentions regarding rulemaking and/or supporting documents must be submitted in writing or may be presented orally or in writing at the public hearing in order for them to be considered by the Department before it adopts, amends or repeals these regulations. To be included in this regulation package's mailing list, and to receive updates of this rulemaking, please leave a message on the Department's mailing list phone line at (916) 324-9933 or e-mail: regs@dtsc.ca.gov.

Please direct all written comments, procedural inquiries and requests for documents by mail, e-mail or fax to:

Ms. Joan Ferber, Regulations Coordinator
Environmental Analysis and Regulations Section
Department of Toxic Substances Control

Mailing Address: P.O. Box 806
Sacramento, CA 95812-0806

E-mail Address: regs@dtsc.ca.gov

Fax Number: (916) 323-3215

Ms. Ferber's phone number is (916) 322-6409. If Ms. Ferber is unavailable, please call Ms. Nicole Sotak at (916) 327-4508 or Mr. James McRitchie at (916) 327-8642.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No such program or (CEIR) has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contracts in order to submit a responsive bid must present evidence that its Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P. O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse
Marketplace, Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P. O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians &
Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P. O. Box 925
Middletown, CA 95461

DEPARTMENT OF HEALTH SERVICES

NOTICE OF GENERAL PUBLIC INTEREST

THE DEPARTMENT OF HEALTH SERVICES WILL ESTABLISH A NEW RATE METHODOLOGY FOR TARGETED CASE MANAGEMENT SERVICES PROVIDED TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

This notice is being given to provide information of public interest with respect to Targeted Case Management (TCM) services provided to individuals with developmental disabilities who are Medi-Cal beneficiaries. It is the intent of the Department of Health Services to establish rates for TCM services as described below:

ESTABLISH NEW RATE METHODOLOGY FOR CALCULATING TARGETED CASE MANAGEMENT RATES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

California's State Plan for TCM services specifies that the rate methodology include a base rate study at least every three years. The base recalculations of the TCM rates have been conducted every three years, in May, with the new rates effective the following July. The last rate study was done in May 2001 using expenditure and other data from the month of May 2001 only. The Department of Health Services plans to convert to an interim rate methodology, which shall be reconciled to the actual amount of TCM services rendered and the costs incurred at the end of each fiscal year. The basis for calculating the interim rate shall be determined in June of each fiscal year using the previous fiscal year's data, adjusted by the annual Consumer Price Index (CPI), and effective the

following July. For the period May 3, 2003, through June 30, 2004, the Department shall establish a one-time fourteen (14) month interim rate based on expenditures and data for the fiscal year ending June 30, 2001, and adjusted by the CPI. This change is being made to more accurately represent actual costs of TCM services provided to individuals with developmental disabilities. The change does not affect the amount or scope of TCM services provided

PUBLIC REVIEW

The proposed amendment to the California State Plan, which details the changes discussed above, will be available for review at local county welfare offices throughout the State. Copies of this notice may be requested and written comments may be sent to Grant Gassman, Chief, Long Term Care Reimbursement Unit, Department of Health Services, 714 P Street, Room 1550, Sacramento, CA 95814.

FISH AND GAME COMMISSION

NOTICE OF RECEIPT OF PETITION

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission, on April 8, 2003, received a petition from Mr. Jeff Miller, Center for Biological Diversity, to list the western burrowing owl (*Athene cunicularia hypugaea*) as an endangered species or threatened species. The western burrowing owl is a small ground-nesting bird of prairie and grassland habitats. Burrowing owls rely upon burrows dug by burrowing mammals for nests; and require open fields with adequate food supply for foraging habitat, low vegetation cover to allow owls to watch for predators, and adequate roosting sites. Burrowing owls in California historically ranged throughout the Central Valley, were found in suitable habitat in coastal areas from Marin County south to the Mexican border, and sparsely inhabited desert areas in the northeastern and southeastern portions of the state. A comprehensive statewide survey conducted in the early 1990s revealed that breeding owls were entirely eliminated from 5 counties and were nearing extirpation in 6 other counties. The statewide number of owls is currently thought to be declining at about 8 percent per year. California's remaining burrowing owls are threatened primarily by conversion of agricultural lands to urban development, persecution of ground squirrels and other burrowing rodents, and intensive agricultural practices. An estimated 91 percent of all owls remaining in California occur on private land, most of it under enormous development pressure. State and federal regulatory mechanisms have proved unsuccessful in protecting the burrowing owl and its habitat.

Pursuant to Section 2073 of the Fish and Game Code, on April 16, 2003, the Commission transmitted the petition to the Department of Fish and Game for review pursuant to Section 2073.5 of said code. The Department's evaluation and recommendation relating to the petition will be received by the Commission at its October 2, 2003 meeting in Redding, California. Interested parties may contact Ms. Sandra Morey, Chief, Habitat Conservation Planning Branch, Department of Fish and Game, at telephone (916) 653-4875 for information on the petition or to submit information to the Department relating to the petitioned species.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

AIR RESOURCES BOARD

Exhaust Emission Standards and Test Procedures

This nonsubstantive action clarifies certain CCR subsection references, making the references more "pinpoint" exact. This action also adds clarifying text to the heading of the section.

Title 13

California Code of Regulations

AMEND: 1956.8

Filed 04/16/03

Effective 04/16/03

Agency Contact:

Aron Livingston (916) 322-2884

AIR RESOURCES BOARD

OBD II 2002

This rulemaking action establishes malfunction and diagnostic system requirements for 2004 and subsequent model-year passenger cars, light-duty trucks, and medium-duty vehicles and engines. The action also establishes enforcement provisions to ensure compliance with the requirements.

Title 17

California Code of Regulations

ADOPT: 1968.2, 1968.5

Filed 04/21/03

Effective 05/21/03

Agency Contact:

Michael L. Terris (916) 327-2032

BOARD OF EDUCATION

Reading First Program

The federal Reading First Program is a competitive grant program that supports scientifically research based K-3 programs in schools serving high poverty, low reading ability, students. This emergency regulatory action specifies how the amount of the grant for each approved subgrant application is calculated. It provides that the funding level be determined by multiplying the per classroom amount by the number of K-3 classrooms that agreed to implement the full English language arts program as provided in the adopted instructional materials in English for one hour in Kindergarten and 2.5 hours in grades 1-3 each day.

Title 5

California Code of Regulations

ADOPT: 11990

Filed 04/21/03

Effective 04/21/03

Agency Contact: Debra Strain (916) 319-0641

COMMISSION ON STATE MANDATES

Mandate Reimbursement

The Commission on State Mandates is adopting, amending and repealing the captioned sections which are exempt from review by the Office of Administrative Law pursuant to Government Code section 17527(g).

Title 2

California Code of Regulations

ADOPT: 1185.02, 1186 AMEND: 1181.1, 1183, 1183.01, 1185, 1185.01, 1185.02, 1185.1, Article 6 title. REPEAL: 1185.2, 1186, 1186.1, 1186.2, 1186.3, 1188.5

Filed 04/21/03

Effective 05/21/03

Agency Contact: Shirley Opie (916) 323-8211

DEPARTMENT OF FOOD AND AGRICULTURE

Mexican Fruit Fly Interior Quarantine

This Certificate of Compliance establishes a quarantine area for the Mexican fruit fly. (Previous OAL file # 02-1205-04E)

Title 3

California Code of Regulations

AMEND: 3417(b)

Filed 04/21/03

Effective 04/21/03

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF FOOD AND AGRICULTURE

Oriental Fruit Fly Interior Quarantine

This Certificate of Compliance removes the quarantine for Oriental fruit fly in the Rancho Cucamonga area of San Bernardino County.

Title 3

California Code of Regulations

AMEND: 3423(b)

Filed 04/21/03

Effective 04/21/03

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF MOTOR VEHICLES

Firefighting Vehicles

This rulemaking defines a firefighting vehicle and provides a listing of privately owned firefighting vehicles that are subject to registration.

Title 13

California Code of Regulations

ADOPT: 157.00

Filed 04/17/03

Effective 05/17/03

Agency Contact:

Bonnie DeWatney (916) 657-8954

DEPARTMENT OF MOTOR VEHICLES

Telephone Hearings

This rulemaking provides that any hearing conducted all or in part electronically may be continued if the audibility is such that it cannot be clearly recorded.

Title 13

California Code of Regulations

AMEND: 115.07

Filed 04/17/03

Effective 05/17/03

Agency Contact: Ann Myrick (916) 657-8857

RESPIRATORY CARE BOARD

Disciplinary Revisions

This regulatory action amends provisions concerning disciplinary actions.

Title 16

California Code of Regulations

ADOPT: 1399.380, 1399.381, 1399.382, 1399.383, 1399.384, 1399.385, 1399.387, 1399.388, 1399.389, 1399.390 AMEND: 1399.302, 1399.370, 1399.374, 1399.376, 1399.380 REPEAL: 1399.375

Filed 04/21/03

Effective 05/21/03

Agency Contact:

Liane Zimmerman (916) 323-9983

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

Port Priority Use

This action amends the San Francisco Bay Plan and the San Francisco Bay Area Seaport Plan by deleting a number of port priority use area designations.

Title 14

California Code of Regulations

AMEND: 11945

Filed 04/17/03

Effective 05/17/03

Agency Contact: Linda Scourtis (415) 557-8789

TECHNOLOGY, TRADE AND COMMERCE AGENCY

Loan Guarantee Terms

In this Certificate of Compliance regulatory action, the Technology, Trade and Commerce Agency amends a regulation pertaining to the "loan guarantee terms" for loan guarantees made by California small business financial development corporations. The amendments relate to the maximum loan guarantee fees which may be charged.

Title 10

California Code of Regulations

AMEND: 5002

Filed 04/17/03

Effective 04/17/03

Agency Contact: Terri Toohey (916) 324-3787

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN DECEMBER 18, 2002
TO APRIL 23, 2003**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

01/21/03 REPEAL: 121, 122, 123, 124, 125, 125.5, 126, 127, 128, Appendix A

Title 2

04/21/03 ADOPT: 1185.02, 1186 AMEND: 1181.1, 1183, 1183.01, 1185, 1185.01, 1185.02, 1185.1, Article 6 title. REPEAL: 1185.2, 1186, 1186.1, 1186.2, 1186.3, 1188.5

04/10/03 AMEND: 18313

04/09/03 ADOPT: 18550.1 AMEND: 18225.7

04/04/03 AMEND: 599.885

04/03/03 AMEND: 599.515

04/03/03 ADOPT: 23000, 23100, 23100, 23200, 23300

04/01/03 AMEND: 52.4

03/27/03 ADOPT: 18754

03/24/03 AMEND: 321

02/28/03 AMEND: 599.931
 02/27/03 ADOPT: 1859.2, AMEND: 1859.2, 1859.20, 1859.21, 1859.74.2, 1859.74.3, 1859.74.4, 1859.75, 1859.75.1, 1859.78.3, 1859.79, 1859.81.1, 1859.83, 1859.107, and 1859.145
 02/25/03 REPEAL: 18707.3
 02/24/03 ADOPT: 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445
 02/24/03 AMEND: 18312
 02/19/03 AMEND: 1859.79, 1859.79.3, 1859.81.1, 1859.83, 1859.107
 02/18/03 AMEND: 18704.2
 02/18/03 AMEND: 18991
 02/13/03 ADOPT: 1859.160, 1859.161, 1859.162, 1859.162.1, 1859.163, 1859.164, 1859.164.1, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.168, 1859.169, 1859.170, 1859, 171 AMEND: 1859.2, 1859.51, 1859.103, 1859.106, 1859.145.1
 02/13/03 AMEND: 1859.77.2
 02/11/03 AMEND: 1897
 02/11/03 AMEND: 1555
 02/06/03 ADOPT: 50
 02/06/03 ADOPT: 1859.74.5, 1859.74.6, 1859.81.2, 1859.81.3, 1859.105.2 AMEND: 1859.2, 1859.74, 1859.76, 1859.77.1, 1859.81.1, 1859.90, 1859.103, 1859.104
 02/03/03 ADOPT: 649.23, 649.24, 649.25
 02/03/03 AMEND: 649.11
 01/30/03 ADOPT: 18530.2
 01/16/03 AMEND: 18700
 01/16/03 ADOPT: 1859.71.2, 1859.78.4, 1859.108 AMEND: 1859.50, 1859.70, 1859.72, 1859.73.1, 1859.73.2, 1859.74.1, 1859.75.1, 1859.76, 1859.78.2, 1859.79.3, 1859.81, 1859.81.1, 1859.82, 1859.100, 1859.101, 1859.102, 1859.107
 01/16/03 AMEND: 18705.1
 01/16/03 ADOPT: 18545
 01/16/03 AMEND: 18703.4, 18730, 18940.2, 18942.1, 18943
 01/13/03 ADOPT: 1866.4.1, 1866.4.2, 1866.4.3, 1866.4.4, 1866.4.6, 1866.4.7, 1866.5.1, 1866.5.2, 1866.5.4, 1866.5.5, 1866.5.6, 1866.5.7, 1866.5.8, 1866.9.1, 1866.12, 1866.13, 1866.14 AMEND: 1866, 1866.1, 1866.2, 1866.3, 1866.4, 1866.5, 1866.5.3, 1866.7, 1866.8, 186
 01/08/03 ADOPT: 18535
 12/19/02 ADOPT: 1859.200, 1859.201, 1859.202, 1859.203, 1859.204, 1859.205, 1859.206, 1859.207, 1859.208, 1859.209, 1859.210,

1859.211, 1859.212, 1859.213, 1859.214, 1859.215, 1859.216, 1859.217, 1859.218, 1859.218, 1859.219, 1859.220,

Title 3

04/21/03 AMEND: 3417(b)
 04/21/03 AMEND: 3423(b)
 04/15/03 AMEND: 3423(b)
 04/08/03 ADOPT: 760, 760.1, 760.2, 760.3, 760.4, 760.5, 760.6, 760.7, 760.9 REPEAL: 760, 765
 04/07/03 AMEND: 3417(b)
 04/03/03 AMEND: 300(c)
 04/01/03 AMEND: 3417(b)
 03/26/03 ADOPT: 797
 03/20/03 AMEND: 3700(c)
 02/06/03 ADOPT: 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3657, 3658, 3659, 3660, 3661, 3662, 3663, 3663.5
 02/03/03 AMEND: 3700(c)
 01/28/03 AMEND: 3417(b)
 01/27/03 AMEND: 3700(C)
 01/21/03 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 6784
 01/06/03 AMEND: 1380.19(l), 1428.17, 1436.37
 12/24/02 ADOPT: 1392.12

Title 4

04/09/03 AMEND: 1467
 03/06/03 AMEND: 8072, 8074
 02/13/03 ADOPT: 10151, 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162
 01/27/03 ADOPT: 12300, 12301, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, 12310 AMEND: 12300, 12301, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, 12310

Title 5

04/21/03 ADOPT: 11990
 04/15/03 AMEND: 18106
 04/14/03 AMEND: 11510, 11512.5(a)(11), 11517 REPEAL: 11510(j)
 04/07/03 ADOPT: 80020.1
 04/03/03 ADOPT: 11971, 11972, 11973, 11974, 11975, 11976, 11977, 11978, 11979, 11980
 03/18/03 AMEND: 20438, 20440
 02/24/03 AMEND: 18301
 02/14/03 ADOPT: 54400
 01/30/03 AMEND: 80043
 01/29/03 AMEND: 31000, 31001, 31003, 31004, 31005, 31006, 31007

01/27/03 ADOPT: 42397, 42397.1, 42397.2, 42397.3, 42397.4, 42397.5, 42397.6, 42397.7, 42397.8, 42397.9, 42397.10, 42397.11

01/16/03 ADOPT: 9531, 9532

01/08/03 ADOPT: 11303, 11304, 11305, 11306, 11307, 11308, 11316 AMEND: 11303, 11304, 11305 REPEAL: 4304, 4306, 4311, 4312

12/23/02 AMEND: 80054.5, 80020.4.1

Title 8

04/09/03 AMEND: 15210

04/07/03 AMEND: 15251

03/26/03 AMEND: 3279, 3280

03/03/03 ADOPT: 17000 REPEAL: 17000

02/24/03 AMEND: 451, 527

01/30/03 AMEND: 336

01/29/03 ADOPT: 10133.16, 10133.17, 10133.18, 10133.19, 10133.20, 10133.21, 10133.22, 10122.1, 10127.3, 10131.2, 10133.10, 10133.11, 10133.12, 10133.13, 10133.14, 10133.15 AMEND: 10122, 10131, 10133, 10133.2 REPEAL: 10133.1

01/28/03 AMEND: 1604.5(c)(3), 1604.6(a)

01/21/03 ADOPT: 339.9 AMEND: 339.8.1

01/09/03 AMEND: 769

01/09/03 ADOPT: 412.2 AMEND: 403, 404, 405.1, 411, 411.1, 411.2, 418, 420 REPEAL: 407, 407.1, 407.2, 407.3,

01/09/03 AMEND: 9771, 9771.2, 9771.66, 9772, 9779, 9779.1, 9779.3, 9779.4, 9779.45

01/08/03 ADOPT: 46.1

01/06/03 AMEND: 1527

01/03/03 AMEND: 344.30

12/30/02 ADOPT: 10114.1, 10114.2, 10114.3, 10114.4, 101002, 10103.2, 10106.1, 10107.1, 10111.2, 10113.1, 10113.2, 10113.3, 10113.4, 10113.5, 10113.6 AMEND: 10104, 10105, 10106.5, 10108, 10109, 10113, 10114, 10115.1 REPEAL: 10115.3

12/30/02 AMEND: 14300.10, 14300.12, 14300.29

12/19/02 AMEND: 5221, 5223,

Title 9

03/25/03 AMEND: 821

02/20/03 AMEND: 9100

01/02/03 AMEND: 10355

12/26/02 ADOPT: 7149.1 AMEND: 7174

Title 10

04/17/03 AMEND: 5002

03/27/03 AMEND: 260.211, 260.211.1

03/20/03 ADOPT: 2187.4

03/20/03 ADOPT: 2700, 2700.1, 2701, 2702

03/13/03 ADOPT: 2020, 2021 AMEND: 250.51

03/10/03 ADOPT: 2670.1, 2670.2, 2670.3, 2670.4, 2670.5, 2670.6, 2670.7, 2670.8, 2670.9, 2670.10, 2670.11, 2670.12, 2670.13, 2670.14, 2670.17, 2670.18, 2670.19, 2670.20, 2670.21, 2670.22, 2670.23, 2670.24,

03/10/03 ADOPT: 2175, 2175.1, 2175.2, 2175.3, 2175.4, 2175.5, 2175.6, 2175.7, 2175.8, 2175.9, 2175.10, 2176, 2176.1 2176.2, 2176.3, 2176.4, 2177, 2177.1, 2177.2, 2177.3, 2177.4, 2177.5, 2177.6, 2177.7, 2177.8, 2177.9, 2177.10, 2177.11, 2177.12, 2177.13, 2177

03/06/03 AMEND: 2130.3

03/04/03 ADOPT: 260.230, 260.230.1, 260.231.2, 260.231.3, 260.236.1, 260.236.2, 260.237.2 AMEND: 260.231, 260.236, 260.237.1, 260.240, 260.241.2, 260.241.3, 260.241.4, 260.242

02/27/03 ADOPT: 5.6182, 5.6183, 30.30, 30.31, 30.40, 30.41, 30.50, 30.51, 30.60, 30.61, 30.70, 30.71, 30.72, 30.73, 30.105, 30.402, 30.406, 30.500, 30.802, 30.1000 AMEND: 30.101, 30.102, 30.103, 30.300, 30.301, 30.302, 30.304, 30.306, 30.401, 30.403, 30.404, 30.

02/13/03 AMEND: 3200

02/11/03 AMEND: 2646.6 REPEAL: 2646.7, 2646.8, 2646.9, 2646.10, 2646.11

01/21/03 AMEND: 2690.1, 2690.2

01/16/03 AMEND: 2498.6

01/13/03 ADOPT: 2498.6

01/02/03 AMEND: 2509.40, 2509.41, 2509.42, 2509.45, 2509.77

12/31/02 AMEND: 2318.6, 2353.1, and 2354.

12/26/02 ADOPT: 2278, 2278.1, 2278.2, 2278.3, 2278.5

Title 11

04/07/03 AMEND: 1005, 1052, D-2

04/03/03 ADOPT: 977.52 AMEND: 977.20, 977.43, 977.44, 977.45, 977.50, 977.51

02/06/03 AMEND: 1005, 1070, 1082

02/03/03 AMEND: 1081(a)(31), 1081(a)(32)

01/17/03 ADOPT: 3100, 3101, 3102, 3103, 3200, 3201, 3203, 3204 AMEND: 3000, 3001, 3002, 3003, 3007, 3008

Title 13

04/17/03 AMEND: 115.07

04/17/03 ADOPT: 157.00

04/16/03 AMEND: 1956.8

04/14/03 AMEND: 2412(b)

03/03/03 ADOPT: 225.00, 225.06, 225.12, 225.15, 225.21, 225.24, 225.27, 225.30, 225.33, 225.39, 225.48, 225.57, 225.60, 225.66,

and 225.69 AMEND: 225.03, 225.09, 225.18, 225.36, 225.42, 225.45, 225.51, 225.54, 225.63, 225.72
 02/21/03 AMEND: 110.04
 02/18/03 REPEAL: 260.01, 262.00, 262.05
 02/06/03 AMEND: 55.17
 02/04/03 ADOPT: 551.14, 551.15, 551.16, 551.17 AMEND: 553.40, 595
 01/03/03 ADOPT: 2606 AMEND: 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610
 12/24/02 AMEND: 2261, 2262, 2262.4, 2262.5, 2262.6, 2262.9, 2265, 2266.5, 2269, 2271, 2272, 2296

Title 14

04/17/03 AMEND: 11945
 04/15/03 ADOPT: 1.39, 1.49, 27.83 AMEND: 27.82
 04/15/03 ADOPT: 3704.1
 04/14/03 ADOPT: 1.92 AMEND: 671, 671.1
 04/08/03 AMEND: 791.7
 04/07/03 ADOPT: 4970.09 AMEND: 4970.00, 4970.01, 4970.02, 4970.03, 4970.04, 4970.05, 4970.06, 4907.07, 4970.08, 4970.10, 4970.11, 4970.12, 4970.13, 4970.14, 4970.15, 4970.16, 4970.17, 4970.18, 4970.19, 4970.20, 4970.21, 4970.22, 4970.23, 4970.24, 4970.25, 4970.2
 04/04/03 ADOPT: 17853.0, 17854, 17588.2, 17855.4, 17857.1, 17859.1, 17863.4, 17867.5, 17868.5, 18227 AMEND: 17850, 17852, 17855, 17862, 17862.1, 17863, 17865, 17866, 17867, 17868.1, 17868.2, 17868.3, 17869, 17870, 18103.1 REPEAL: 17857, 17858, 17859, 17860, 178
 04/04/03 ADOPT: 17211, 17211.1, 17211.2, 17211.3, 17211.4, 17211.5, 17211.6, 17211.7, 17211.8, 17211.9
 04/01/03 AMEND: 2090, 2105, 2420, 2425, 2530, 2690 and renumber 2690 to 2850
 04/01/03 ADOPT: 17225.710, 17225.717, 1225.720, 17225.725, 17225.750, 17225.755, 17225.760, 17225.770, 172225.795, 17225.800, 17225.820, 18478.5, 18494.5, 18499.1, 18499.2, 18499.3, 18499.4, 18499.5, 18499.6, 18499.7, 18499.8, 18499.9 AMEND: 17225.715, 17350, 173
 03/27/03 AMEND: 708
 03/26/03 AMEND: 120, 120.3
 03/26/03 AMEND: 150.02, 150.04
 03/10/03 ADOPT: 632 AMEND: 630
 03/10/03 ADOPT: 150.05 AMEND: 150, 150.03
 03/06/03 AMEND: 18464, 18465

03/05/03 ADOPT: 18360, 18361, 18362, 18363, 18364, 18365, 18366, 18367, 18368
 03/04/03 ADOPT: 15251
 03/04/03 ADOPT: 749.2
 03/04/03 AMEND: 180.2
 02/27/03 ADOPT: 105.5 AMEND: 195
 02/11/03
 02/03/03 AMEND: 120.3
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